

Second Regular Session 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 419

AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 12-32-1-6, AS ADDED BY P.L.171-2011, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. An agency or a political subdivision required to verify the eligibility of an individual under section 5 of this chapter shall **do the following**:

(1) Require the individual to execute a verification stating under penalty of perjury that the individual: ~~is a~~:

(A) ~~is a~~ United States citizen; ~~or~~

(B) ~~is a~~ qualified alien (as defined under 8 U.S.C. 1641); ~~and~~
~~or~~

(C) **meets the following**:

(i) **The individual is authorized by the federal government to work in the United States as provided under section 6.5 of this chapter.**

(ii) **The individual is executing the verification only for the purpose of applying for a professional or occupational license (as defined section 6.5(a) of this chapter).**

(2) Maintain a verification executed in accordance with subdivision (1) for at least five (5) years.

SECTION 2. IC 12-32-1-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE



UPON PASSAGE]: Sec. 6.5. (a) As used in this section, "professional or occupational license" means:

- (1) an unlimited license, permit, certificate, or certificate of registration;
- (2) a temporary, limited, or probationary license, permit, certificate, or certificate of registration;
- (3) an intern permit; or
- (4) a provisional license;

issued by a state agency or political subdivision that regulates a profession or occupation.

(b) As used in this section, "state agency" means an agency, a board, a commission, a department, a bureau, or any other entity of the executive, legislative, or judicial department of state government.

(c) An individual who is authorized by the federal government to work in the United States is eligible for a professional or occupational license issued by a state agency or political subdivision if the individual meets all the requirements, other than the requirement under 8 USC 1621(a), to obtain or renew the professional or occupational license.

SECTION 3. IC 36-1-3-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 12. (a) This section does not prohibit any of the following:

- (1) A requirement for a license, registration, certification, or permit required under an ordinance or rule adopted under IC 36-7.
- (2) A requirement for a permit or registration for a particular project for:
 - (A) the alteration, construction, demolition, or repair of a building; or
 - (B) other work on real property;
 required under an ordinance or rule adopted under another provision of this title.
- (3) The ability to revoke, suspend, or impose additional conditions on a permit or registration previously given if the person:
 - (A) holding the permit; or
 - (B) registered;
 has performed substandard work or has otherwise violated any condition of the permit or registration.
- (4) A requirement for a license for an individual to practice an



occupation or profession when the unit determines the establishment and enforcement of health and safety standards for the occupation or profession are appropriate and necessary to protect the public.

(b) Except as provided in subsection (a), a unit does not have the power to license, register, or certify a person to practice the person's profession or occupation within the unit if the occupation or profession is subject to licensure, registration, or certification under the Indiana Code.

SECTION 4. An emergency is declared for this act.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

